

**PLANNING AND ZONING COMMISSION  
JULY 26, 2017  
CITY HALL'S COUNCIL CHAMBERS @ 5:00 P.M.**

**P&Z PRESENT**

Ned Sheats  
John Guerra  
Carlos Lopez  
Marisela Marin

**P&Z ABSENT**

Diana Izaguirre  
Julio Cerda  
Jaime Gutierrez

**STAFF PRESENT**

Jaime Acevedo  
Virgil Gonzalez  
Susana De Luna  
Kristin J. Warshak  
Joel Chapa

**GUESTS PRESENT**

Gilberto Gutierrez  
Juan Jose Chapa  
Monica Marin  
Mario Reyna  
Richard Krauss  
Maria Luisa Huerta

**CALL TO ORDER**

Chairman Ned Sheats called the meeting to order at 5:03 p.m.

**CITIZENS PARTICIPATION**

Chairman Sheats asked if there was any citizen's participation.

There was none.

**APPROVAL OF MINUTES FOR JUNE 28, 2017**

Chairman Sheats asked if there were any corrections to the minutes for June 28, 2017. Mrs. Marisela Marin moved to approve the minutes as presented. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:05 p.m.**

**Ended: 5:17 p.m.**

**Item #1.1**

**REZONING:**

8.853 acres consisting of 7.760 acres out of Lot 1, Praxedis Garza Subdivision and 1.093 acres out of Lot 161, John H. Shary Subdivision  
AO-I to R-1  
The Garrigos-Hervert Family, L.P.

**REVIEW DATA**

Mr. Jaime Acevedo went over the write-up stating the subject property is located along the east side of Stewart Road ¼ mile south of U.S. Expressway 83.

**SURROUNDING ZONES:** N: R-1 – Single Family Residential  
E: AO-I – Agricultural Open Interim  
W: AO-I – Agricultural Open Interim  
S: R-1A – Large Lot Single Family

**EXISTING LAND USES:** N: Single Family Residential  
E: A drainage easement borders the property to the east  
W: Agricultural  
S: Vacant Residential  
Site: Agricultural

**FLUM:** Lower Density Residential (LDA)

**REVIEW COMMENTS:** Dr. Garrigos is requesting that this total of 8.853 acre tract of land be rezoned to Single Family Residential (R-1). The predominant land use in this area is long standing Large Lot Single Family (R1-A) and Single Family (R-1) residences. The Future Land Use Map reflects Lower Density Residential (LDA). Rezoning the site R-1 will not have a detrimental effect to the surrounding Single Family neighborhoods.

**RECOMMENDATION:** Approval.

Chairman Sheats inquired as to Item #1.3 being the same plat referencing the 8.853 acre tract in Item #1.1.

Mr. Acevedo explained the engineering firm, Meldon & Hunt, notified him earlier in the week it did not want the plat to be seen at this time. The engineer is still working with another engineer on the utilities to the south. P & Z will not be considering Item #1.3 at this time.

Chairman Sheats asked if there were any comments from the staff on this item.

Mrs. Marin asked if the property to the south was recently zoned R1-A.

Mr. Acevedo detailed the property to the north and east have lots that are between 8,000 and 12,000 square feet. The lots that are being proposed are between 6,000 and 6,600 square feet. Mr. Acevedo explained P & Z will be working with the engineer in making the lots a little wider. The minimum for an R-1 is 60' feet wide.

Mrs. Marin asked for clarification if the property owner had some issues the last time this was presented before.

Mr. Acevedo clarified the issue was the property owner was requesting town homes which was denied.

Chairman Sheats stated the FLUM shows that just about everything in that area is R-1. However, the entire subdivision to the north and east are homes built on lots that are between 8,500 square feet to 12,000 square feet. The Applicant is trying to place 6,000 square foot lots into a lower density area which is zoned R-1. The engineering firm is asking for an exception to have 50' fronts rather than 60' fronts that of which it was

recommended by Chairman Sheats that it be denied. He recommend that the item be on the record that Meldon & Hunt take this plat before rezoning on the next meeting.

Chairman Sheats asked for citizen participation or if the applicant was present.

Mario Reyna with Meldon & Hunt, as representative for the applicant explained for zoning purposes they are trying to accommodate the dimensions for the tract of land. The applicant proposes to build six different homes utilizing various trees as a footprint. The homes will average 2,600 square feet to 2,800 square feet.

Chairman Sheats stated that every lot around this particular subdivision is between 8,500 square feet and up to 12,000 square feet. Even though it does have the R-1 designation it also has an LDA designation.

Mrs. Marin asked Mr. Reyna if the explanation given would be like Bentsen Palms.

Mr. Acevedo recommended that Meldon & Hunt or the Applicant provide some renderings of what is being proposing at the next meeting.

Mr. Reyna is still talking to the Applicant about increasing the lot size.

Chairman Sheats encouraged the Applicant to consider 6,000 square feet homes with 50' fronts not be mixed in with 9,000 to 15,000 square foot lots. Stating it is an anomaly which does not quite fit there.

Dr. John Guerra stated that the applicant has brought the same type issues before the board. The Applicant does not seem to understand what the P&Z is telling him, and must meet the recommendations of the P&Z.

Mr. Reyna explained the last time the Applicant was before the board he went from an R1-T to an R-1.

Chairman Sheats asked the Applicant to consider lessening the number of lots to fulfil the standard of the R-1 for the lots.

Chairman Sheats asked if there was any opposition to the rezoning.

There being no further discussion, Chairman Sheats entertained a motion. Mrs. Marisela Marin moved to approve the rezoning as per staff's recommendation. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

**Started: 5:17 p.m.**

**Ended: 5:25 p.m.**

**Item #1.2**

**Conditional Use Permit:**

Sale and On-Site Consumption of Alcoholic  
Beverages – The Griffin Grill  
1906 E. Griffin Parkway  
Lot 19, River Oaks Plaza Subdivision  
C-3  
RAM Culinary Group L.L.P.  
c/o Richard L. Krauss

Mr. Jaime Acevedo went over the write-up stating the site is a restaurant located 1000' west of Glasscock Road on the south side of E. Griffin Parkway. The applicant is requesting a CUP for the Sale and On-Site Consumption of Alcoholic Beverages for wine and beer with the intent of creating a bar.

- **Hours of Operation:** Monday - Saturday from 7 AM to 3 PM, Sunday 9 AM to 2 PM
- **Staff:** 6 Employees
- **Parking:** The 1,860 sq. ft. building has a total of 44 seating spaces for the restaurant. A total of 25 spaces are required for this site (1,860 sq. ft./75sq.ft.= 24.8 parking spaces). It is noted that a total of 348 parking spaces are held in common within the commercial development.
- Landscaping has been provided as a part of the overall commercial plaza.
- Section 1.56-3 of the Zoning Code cites that 'Bars' must be 300' from the nearest residence, church, school or publicly owned property. This site located about 150' from River Oaks Estates. However, bar component will not be constructed thus Section 1.56-3 will not apply.
- Must continue to comply with Fire and Health Codes.

**REVIEW COMMENTS:** There are no churches or schools within 300' of this restaurant, nor have there been any comments in favor or against this request forwarded to the Planning Department during the CUP's tenure.

**RECOMMENDATION:** Staff recommends approval subject to the CUP be approved for 2 years at which time the applicant will have to renew their TABC license and Conditional Use Permit.

Chairman Sheats inquired as to the designated parking for the site location.

Mr. Acevedo confirmed the site location owns up to the street on 495.

Chairman Sheats asked the Applicant if there was ADA compliance in the parking lot.

Mr. Krauss stated there was designated parking for ADA compliance.

Chairman Sheats asked if there were any comments about the request.

Mrs. Marin said she had no opposition as long as there was no bar component.

Mr. Krauss stated they were trying to supplement the component of the site possibly offering dinner until 9:00 o'clock p.m. with beer and wine.

There being no further discussion, Chairman Sheats entertained a motion. Mr. Carlos Lopez moved to approve the conditional use permit as per staff's recommendation. Mrs. Marisela Marin seconded the motion. Upon a vote, the motion passed unanimously.

### **ADJOURNMENT**

There being no further items for discussion, Mrs. Marisela Marin moved to adjourn the meeting. Dr. John Guerra seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:25 p.m.

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Ned Sheats, Chairman  
Planning and Zoning Commission